

IN RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE - W/S York Road, 495' SW of Church Lane (9920-9924 York Road) 8th Election District 3rd Councilmanic District

* BEFORE THE * DEPUTY ZONING COMMISSIONER * OF BALTIMORE COUNTY * Case No. 94-258-SPHA

Gus J. Stratakis Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as Petitions for Special Hearing and Variance filed by the owner of the subject property, Gus J. Stratakis, through his attorney, Edward Covahey, Esquire. The Petitioner seeks a special hearing to approve an amendment to the previously approved site plan in Case No. 65-51-XA and variances from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Sections 238.2 and 102.2 to permit a side yard setback of 0 feet and a rear yard setback of 14 feet in lieu of the required 30 feet for each for a proposed retail building, and a distance between the existing and proposed buildings of 25 feet in lieu of the required 60 feet; from Section 409.6.A.2 to permit 48 parking spaces in lieu of the required 61; and from Section 413.2(E) to permit a second shopping center identification of 300 sq.ft. total (150 sq.ft. per side), as more particularly described on Petitioner's Exhibit A.

Appearing on behalf of the Petitions were Gus Stratakis, legal owner, and his attorney, Edward Covahey, Esquire. Also appearing on behalf of the Petitioner was William F. Monk, Land Planning and Zoning Consultant. There were no Protestants.

Testimony indicated that the subject property, known as 9920-9924 York Road, consists of 1.01 acres, more or less, zoned B.R. and is improved

with a combined retail/service garage building and an older retail building located immediately adjacent to York Road. The Petitioner is desirous of razing this older building and replacing same with a more modern two-story retail building. Testimony revealed that this older building was once an old dwelling that was converted for retail use and has since become out-dated. Testimony indicated that since this old structure is located immediately adjacent to York Road, the visibility of motorists traveling in the area is impeded and attempts to locate businesses in the vicinity of this site are compromised. By removing the old structure, the Petitioner will improve both the aesthetics of the property and traffic safety in the area in that the line of vision for motorists will be greatly improved. In addition to the improvements noted above, a landscape strip along York Road is proposed to further enhance the site. The Petitioner also intends to eliminate two of the driveway accesses to York Road and create one main entrance to the property which will also benefit motorists traveling in this area of York Road in that there will be only one access point to the property in lieu of the three existing. Further testimony indicated that the requested parking variance is necessary as a result of the larger building proposed for the site. In addition, the sign variance is needed to adequately identify the tenants in the new building due to the high volume of traffic and businesses along this stretch of York Road.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. *McLean v. Soley*, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;

- 2 -

- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the special hearing and variances are not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of these requests and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare and is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 23rd day of February, 1994 that the Petition for Special Hearing to approve an amendment to the previously approved site

plan in Case No. 65-51-XA, in accordance with Petitioner's Exhibit 2, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Sections 238.2 and 102.2 to permit a side yard setback of 0 feet and a rear yard setback of 14 feet in lieu of the required 30 feet for each for a proposed retail building, and a distance between the existing and proposed buildings of 25 feet in lieu of the required 60 feet; from Section 409.6.A.2 to permit 48 parking spaces in lieu of the required 61; and from Section 413.2(E) to permit a second shopping center identification of 300 sq.ft. total (150 sq.ft. per side), in accordance with Petitioner's Exhibit 2, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 2/23/94
By [Signature]

- 4 -

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

February 23, 1994

(410) 887-4386

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

Edward Covahey, Esquire
614 Bosley Avenue
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE
W/S York Road, 495' SW of Church Lane
(9920-9924 York Road)
8th Election District - 3rd Councilmanic District
Gus J. Stratakis - Petitioner
Case No. 94-258-SPHA

Dear Mr. Covahey:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel

File

Petition for Variance AND SPECIAL HEARING to the Zoning Commissioner of Baltimore County

for the property located at 9920-24 York Road which is presently zoned BR

94-258-SPHA

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Sections 238.2 & 102.2 to permit a side yard setback of 0' in lieu of the required 30' and a setback of 25' between buildings in lieu of the required 60' and a variance from Section 409.6 A.2 to permit 48 spaces in lieu of the required 61 spaces. Section 238.2 & 102.2 to permit a rear setback of 14' in lieu of the required 30'.

Section 413.2 (e) to permit a second shopping center id. sign (#9922-24 York Rd. containing 300 square foot (150 sq. ft. per side). To amend the previously approved site plan per special exception and variance plan (Case #65-51XA).

FOR HARDSHIP AND PRACTICAL DIFFICULTY SEE ATTACHED

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to any easements of above Variance advertisement, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contact Purchaser/Lessee:

(Type or Print Name)

Signature

(Type or Print Name)

City State Zipcode

Edward Covahey

(Type or Print Name)

614 Bosley Avenue 828-9441

Towson, MD 21204

City State Zipcode

Why do you submit this petition and affirm, under the penalties of perjury, that true are the legal owner(s) of the property which is the subject of this petition.

Legal Owner(s):

GUS J. STRATAKIS

(Type or Print Name)

Signature

(Type or Print Name)

City State Zipcode

718 York Road 337-8809

Towson, MD 21204

City State Zipcode

William Monk, Inc.

222 Bosley Ave, Towson, MD 494-8931

City State Zipcode

Office Use Only

ESTIMATED LENGTH OF HEARING

Available for Filing

Next Two Months

ALL

REVIEWED BY

DATE 12-23-92

ORDER RECEIVED FOR FILING
Date 2/23/94
By [Signature]

REASONS ESTABLISHING HARDSHIP AND/OR PRACTICAL DIFFICULTIES:

1. Topographical considerations and side yard set-back considerations would preclude development of property with functional improvements were the variances not be granted.
2. Development of the property without the requested set-back would require utilization of two existing curb cuts providing access to York Road. Development of the property within the context of plan will allow same to utilize one means of access to York Rd.
3. Granting of the variances will allow the property to be developed with the improvements located to the rear portion of the lot preserving front yard set-backs and site distances for ingress and egress to York Road.
4. Granting of the variances will allow the property to meet all provisions for front yard set-backs.
5. Development of the property with the requested variances will facilitate ease of traffic movements on site and preclude congestion on York Road.
6. Providing parking in excess of that requested would deprive the site of grass cover and vegetation essential for storm water management and erosion control and would enhance and protect the environment.

COLBERT ENGINEERING, INC.

3723 OLD COURT ROAD • SUITE 200
BALTIMORE, MARYLAND 21206
PHONE (410) 633-3600
FAX (410) 633-7700

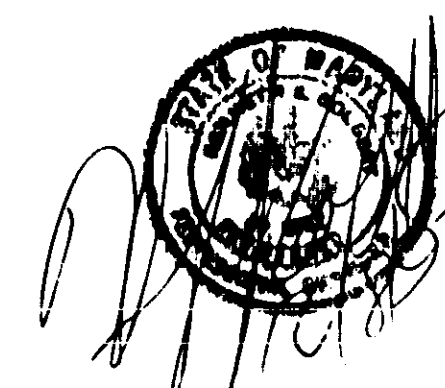
94-258-SPHA

ZONING DESCRIPTION
9920-24 YORK ROAD
8TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME AT A POINT ON THE WEST SIDE OF YORK ROAD, 80 FEET WIDE, 495 FEET MORE OR LESS SOUTH FROM THE SOUTH SIDE OF CHURCH LANE, THENCE BINDING ALONG SAID WEST SIDE OF YORK ROAD (1) NORTH 10 DEGREES 50 MINUTES WEST 194.13 FEET, THENCE LEAVING SAID YORK ROAD FOR FOLLOWING FIVE (5) COURSES: (2) SOUTH 67 DEGREES 11 MINUTES WEST 153.5 FEET, MORE OR LESS, (3) SOUTH 05 DEGREES 11 MINUTES WEST 48.2 FEET, MORE OR LESS, (4) NORTH 84 DEGREES 49 MINUTES WEST 69.2 FEET, MORE OR LESS, (5) SOUTH 10 DEGREES 50 MINUTES EAST 100.0 FEET, MORE OR LESS, AND (6) SOUTH 84 DEGREES 49 MINUTES EAST 243 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING.

CONTAINING 0.80 OF AN ACRE OF LAND, MORE OR LESS.

9920YORK.DES



CIVIL ENGINEERS • LAND SURVEYORS

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 258 Date of Posting: 12-23-93

Posted for: 94-258-SPHA

Petitioner: Gus J. Stratakis

Location of property: 9922-24 York Road, Towson, Maryland 21204

Location of Sign: Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204

Remarks: None

Posted by: William Monk Date of return: 1/13/94

Number of Signs: 2

receipt

Baltimore County Zoning Administration & Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R 001-4180

Date: 12-23-93 94-258-SPHA Number: 258

Special Hearing - 1230

Variance - 230

Sign Posting - 230

Total \$385.00

Please Make Checks Payable To: Baltimore County

Cashier Validation

Item Number: 258
Planner: JJS
Date Filed: 12-23-93

PETITION PROCESSING FLAG

This petition has been accepted for filing, after an initial review, and has been placed on the agenda for the zoning advisory committee. However, the following items were found to be missing or incomplete when the petition was included on the agenda by Sophia. A copy of this "flag" will be placed in the case file for the Zoning Commissioner's review. The planner that accepted the petition for filing has the option of notifying the petitioner and/or attorney prior to the hearing or Zoning Commissioner's review of the petition regarding the items noted below. If the petitioner/attorney is contacted by the planner, it is the petitioner's ultimate decision and responsibility to make a proper application, address any zoning conflicts, and to file revised petition materials if necessary. Delays and unnecessary additional expenses may be avoided by correcting the petition to the proper form.


Need an attorney ✓

The following information is missing:

- ☐ Descriptions, including accurate beginning point
- ☐ Actual address of property
- ☐ Zoning
- ☐ Acreage
- ☐ Plats (need 12, only 1 submitted)
- ☐ 200 scale zoning map with property outlined
- ☐ Election district
- ☐ Councilmanic district
- ☐ BC2R section information and/or wording
- ☐ Hardship/practical difficulty information
- ☐ Owner's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
- ☐ Contract purchaser's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
- ☐ Signature (need minimum 1 original signature) and/or printed name and/or title of person signing for legal owner/contract purchaser
- ☐ Power of attorney or authorization for person signing for legal owner and/or contract purchaser
- ☐ Attorney's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
- ☐ Notary Public's section is incomplete and/or incorrect and/or commission has expired
- ☒ PLAT LISTED LEGAL OWNER AS JAMES C. + GEORGIA STRATAKIS, NOT GUS J. STRATAKIS

PET-FLAG (TEXTBOOK)
11/17/93

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

JANUARY 10, 1994

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-258-SPHA (Item 258)
9922-24 York Road
M/S York Road, 495' +/- SW of Church Lane
8th Election District - 3rd Councilmanic
Petitioner(s): Gus J. Stratakis
HEARINGS: FRIDAY, FEBRUARY 4, 1994 at 9:00 a.m., Rm. 106, Office Building.

Special Hearing to amend the previously approved site plan in case 865-51-1A. Variance to permit a side yard setback of zero feet in lieu of the required 30 feet and a setback of 25 feet between buildings in lieu of the required 60 feet; to permit 40 spaces in lieu of the required 61 spaces; to permit a rear setback of 14 feet in lieu of the required 30 feet; and to permit a second shopping center ID sign containing 300 sq. ft. (150 sq. ft. per side) in lieu of the permitted one sign of 150 square feet.

Carl John
Arnold Jablon
Director

cc: Gus J. Stratakis
Edward Conway, Esq.
William Monk, Inc.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3351.

Printed with Recycled Ink on Recycled Paper

CERTIFICATE OF PUBLICATION

TOWSON, MD., Jan 13, 1994

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Jan 13, 1994

THE JEFFERSONIAN,
A. Henrichsen
LEGAL AD. - TOWSON
Publisher

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LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are handicapped accessible; for special accommodations please call 887-3353.
(2) For information concerning the file and/or hearing, please call 887-3351.

1/19/94 January 13

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

January 27, 1994

Edward Covahey, Esquire
614 Bosley Avenue
Towson, Maryland 21204

RE: Case No. 94-258-SPHA, Item No. 258
Petitioner: Gus J. Stratakis
Petitions for Special Exception and Variance

Dear Mr. Covahey:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on December 23, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

- The director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, DATE: January 10, 1994
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Development Engineering Section

RE: Zoning Advisory Committee Meeting
for January 18, 1994
Item No. 258

The Development Engineering Section has reviewed the subject zoning item. This site is subject to State Highway Administration Standards for roadway and entrance requirements. In addition, this site is subject to the Landscape Manual Standards.

RWB:ac

SHA **Maryland Department of Transportation**
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

January 7, 1994

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
MD 45
Gus J. Stratakis
Proposed Retail Center
Item #258 (JJS)
Special Hearing and
Variance Request
Milepost 6.71

Dear Ms. Minton:

This office has reviewed the plan for the referenced item and offer the following:

We have no objection to approval of the special hearing to amend the previously approved site plan in case #65-51-1A or the variance request to permit a side yard setback of zero feet in lieu of the required 30 feet and a setback of 25' between buildings in lieu of the required 60'; to permit 40 parking spaces in lieu of the required 61 spaces; to permit a rear setback of 14' in lieu of the required 30' and to permit a second shopping center identity sign at 9922-24 York Road containing 300 sq. ft. (150 sq. ft. per side) in lieu of the permitted one sign of 150 sq. ft.

Also, since MD 45 is not identified in the SHA current or long range planning documents for future roadway improvements in this area, our review of the proposed entrance improvements to the site are generally acceptable to the SHA.

Entrance construction shall be subject to the terms and conditions of an access permit issued by this office, with the following submittals required:

- Eight (8) copies of the site plan showing the SHA requirements.
- Completed application.

My telephone number is 410-333-1350 (Fax# 333-1041)
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2296 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Ms. Charlotte Minton
Page two
January 7, 1994

- Performance bond, letter of credit, or certified check (include Federal ID number or social security number on certified checks only) in the amount of 150% of the actual entrance construction cost (to include the cost of relocating any affected utilities) and in an even thousand dollar increment. These must be made payable to the State of Maryland. (Please note that it takes 6-8 weeks for a certified check to be returned after project completion and SHA final inspection)
- An engineering fee check in the amount of \$50.00 for each point of access, made payable to the State of Maryland.
- A letter of authorization from the appropriate agency relative to the relocation of any utilities which may be necessitated by this construction. Or, a letter from the developer acknowledging and agreeing to the financial responsibility for relocating any affected utilities, provided the cost for the utility relocation is included in the surety submitted for the permit.

The surety for entrance construction must be received by this office prior to our approving any building permits for this development.

Should you have any questions or require additional information, please contact Bob Small of this office at (410) 333-1350. Thank you for the opportunity to review this plan.

Very truly yours,
David Ramsey
David Ramsey, Acting Chief
Engineering Access Permits
Division

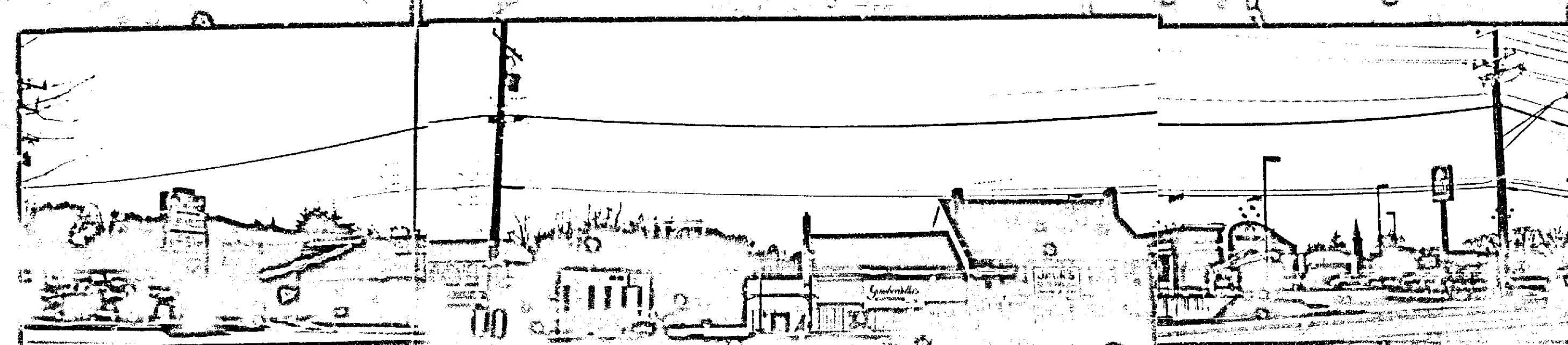
BS/maw

cc: Mr. William Monk

WILLIAM MONK, INC.

PLANNING • LANDSCAPE DESIGN • ENVIRONMENTAL RESOURCE MANAGEMENT

COURTHOUSE COMMONS
222 BOSLEY AVENUE
SUITE B-7
TOWSON, MD 21204
410-494-8931



9920-24 YORK ROAD VIEW FROM YORK ROAD

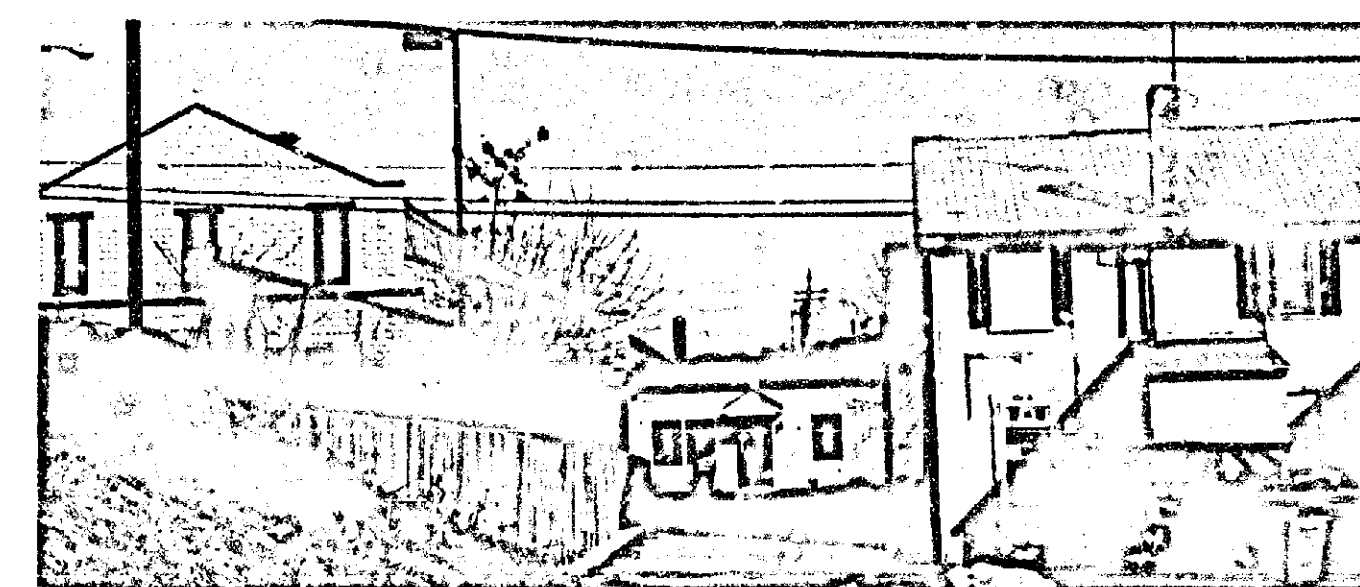
PETITIONER'S
EXHIBIT NO. 5

PETITIONER'S
EXHIBIT NO. 6

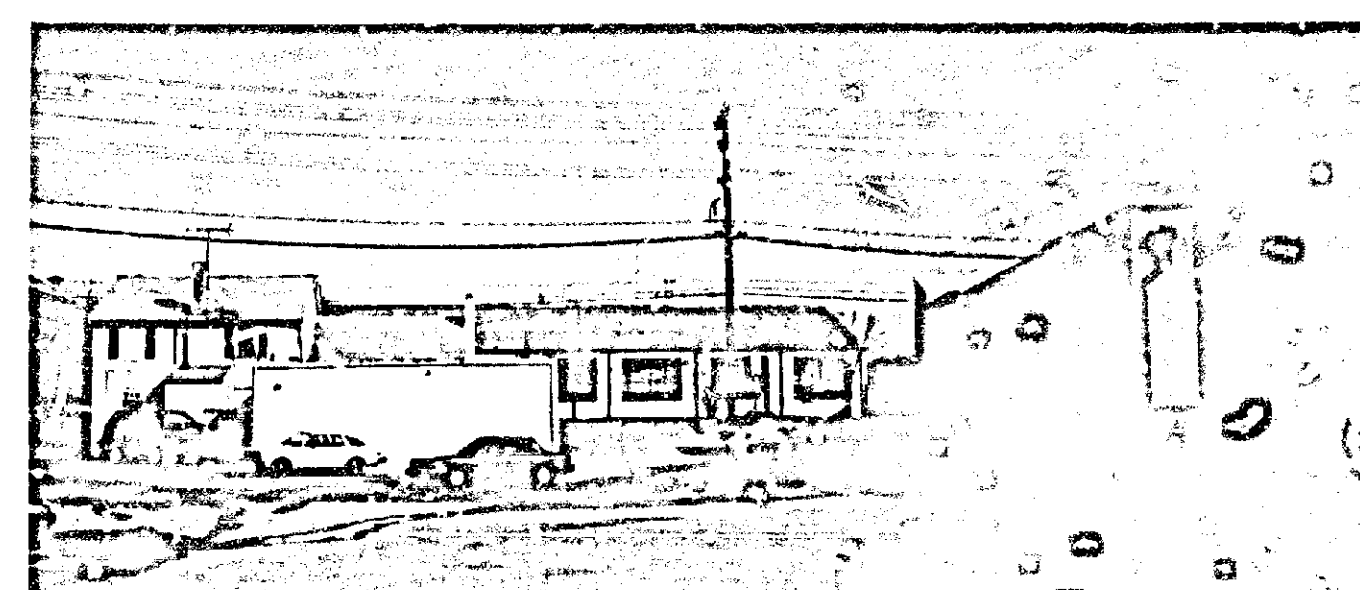
WILLIAM MONK, INC.

PLANNING • LANDSCAPE DESIGN • ENVIRONMENTAL RESOURCE MANAGEMENT

COURTHOUSE COMMONS
222 BOSLEY AVENUE
SUITE B-7
TOWSON, MD 21204
410-494-8931



EXISTING 2-WAY ENTRANCE
LOOKING EAST TOWARDS YORK ROAD

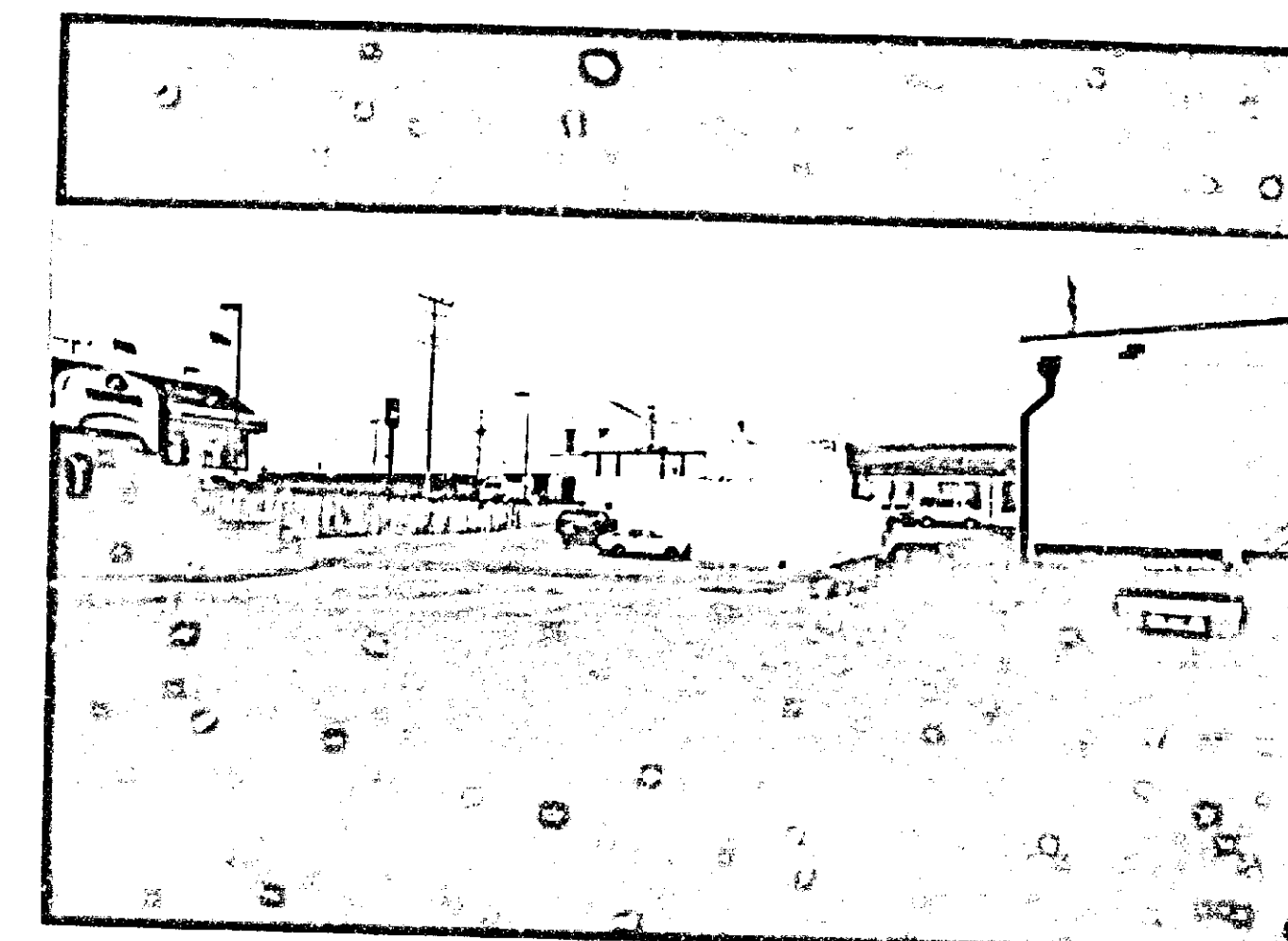


EXISTING ENTRANCES (TWO 2-WAY ENTRANCES)
LOOKING EAST TOWARDS YORK ROAD

WILLIAM MONK, INC.

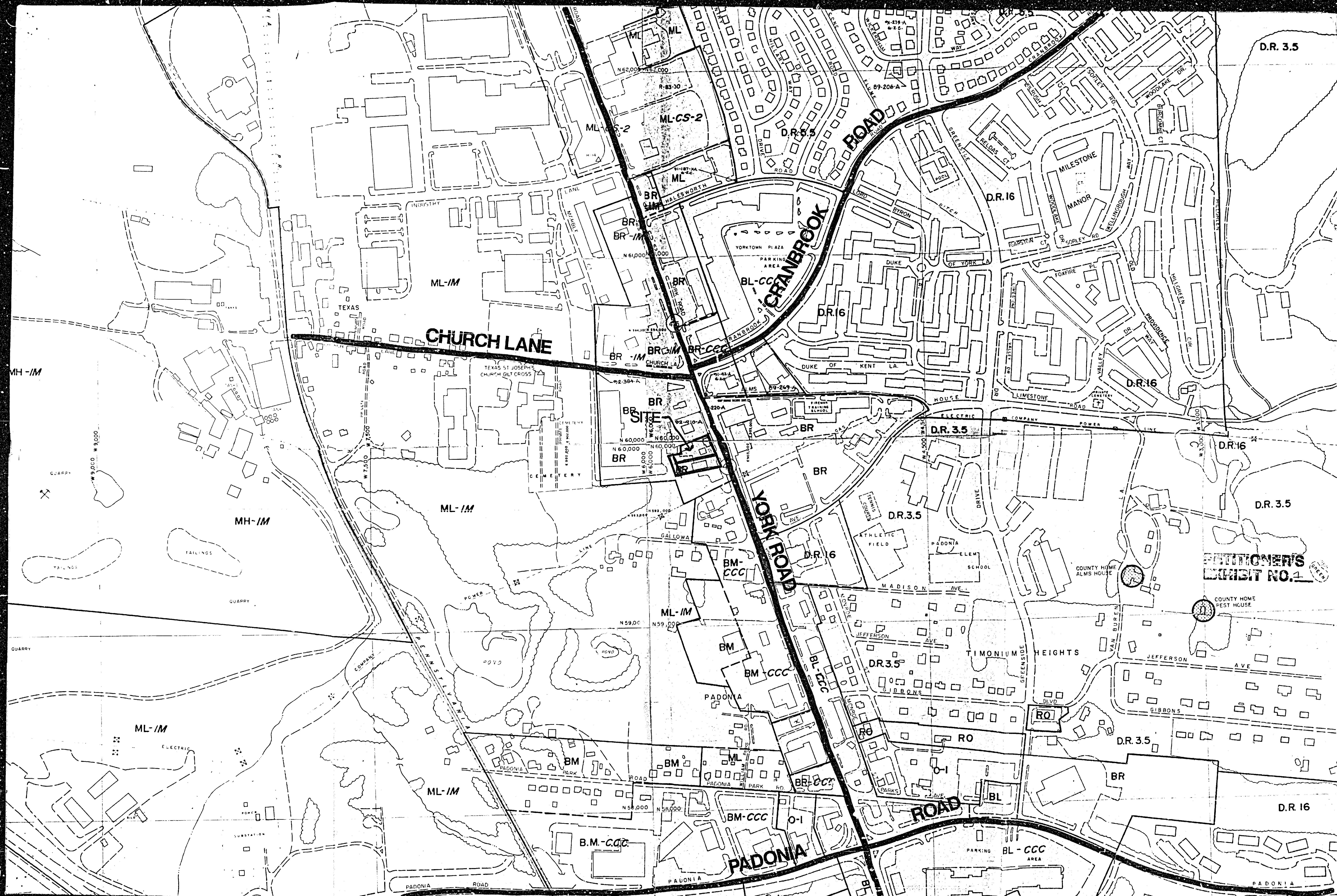
PLANNING • LANDSCAPE DESIGN • ENVIRONMENTAL RESOURCE MANAGEMENT

COURTHOUSE COMMONS
222 BOSLEY AVENUE
SUITE B-7
TOWSON, MD 21204
410-494-8931



EXISTING PARKING AREA AT LOWER LEVEL

PETITIONER'S
EXHIBIT NO. 7





- GENERAL NOTES
1. EXISTING ZONING: BR-BUSINESS ROADSIDE
 2. PROPOSED ZONING: NO CHANGE
 3. LOT AREA:
NET = 28,189 SQ. FT. +/- (8.88 A)
GROSS = 44,000 SQ. FT. +/- (1.01 A)
 4. SPECIAL EXCEPTION: NONE
 5. VARIANCES: a) SECTIONS 238.2 & 102.2 TO A) TO PERMIT A SIDE YARD DETRACK OF 0' 11" BETWEEN THE REQUIRED 30' AND B) TO PERMIT A DETRACK BETWEEN THE REAR DETRACK OF 14" IN LIEU OF THE REQUIRED 30'; b) SECTION 490.6(A)(2) TO PERMIT 48 PARKING SPACES IN LIEU OF THE REQUIRED 41 PARKING SPACES; c) SECTION 411.2)(8)(F) TO PERMIT A SECOND STOPPING CENTER IN LIEU OF THE REQUIRED STOP ROAD DETRACK OF 30' IN LIEU OF THE REQUIRED 30 FT. PER SIDE; d) AND TO AMEND THE PREVIOUSLY APPROVED SITE PLAN PER SPECIAL EXCEPTION AND VARIANCE PLAN CASE #65-51-XA.
 6. EXISTING USE:
OFFICE/RETAIL - 1 STRUCTURE TO BE REMOVED (9922-24)
- 1 STRUCTURE TO REMAIN (9920)
 7. PROPOSED USE: OFFICE/RETAIL - NEW BUILDING AT 9922-24
 8. BUILDING AREA:
EXISTING - 9920 5,686 SQ. FT. +/-
9922-24 2,200 SQ. FT. +/- (BUILDING TO BE RAZED)

PROPOSED - 9922-24 6,840 SQ. FT. +/- (2 FLOORS)

TOTAL 12,526 SQ. FT.
 9. PREVIOUS COMMISSIONED PERMITS: B 157467 AND B 128961
 10. OWNERSHIP INFORMATION:
JAMES G. STRATAKIS, GEORGIA STRATAKIS
718 YORK ROAD
BALTIMORE, MD 21204
 11. FILED REFERENCE: 8110/251 AND 5032/185
 12. TAX MAP: 51, GRID: 17, PARCEL: 247, 254, 415
 13. CENSUS TRACT: 4048
 14. ELECTION DISTRICT NO.: 8
 15. COUNTY COMMISSION DISTRICT NO.: 3
 16. SETBACK REQUIREMENTS:

	REQUIRED	PROVIDED
FRONT (NEW CONSTR.)	75'	75'
SIDE (NORTH) (NEW CONSTR.)	30'	0**
SIDE (SOUTH) (EXIST BLDG)	30'	11' APPROVED
REAR (NEW CONSTR.)	30'	65-51 XA
BUILDING TO BUILDING (SAME SITE)	30'	24**
* SEE NOTE # 17		
** VARIANCE REQUIRED - SEE NOTE # 5		
 17. FRONT YARD DETRACK AVERAGING COMPUTATIONS:

	EXISTING SETBACK
BLDG TO NORTH (W/11 100')	72'
(FACE WALL)	72'
BLDG TO SOUTH (MEINEKE SUFFLER)	58'
AVERAGE SETBACK	65'
 18. UTILITIES: PUBLIC SEWER, WATER AND GAS
 19. SIGNS: A) EXISTING FREESTANDING SIGN (9920 YORK RD) APPROVED BY PERMIT
B) PROPOSED SIGN DETAIL ID SIGN (9922-24 YORK RD)
SEE NOTE 5(3).
 20. PARKING CALCULATIONS:
A) PARKING REQUIRED:

1. 9922-24 YORK ROAD (NEW CONSTRUCTION)	
- 1ST FLOOR - RETAIL: 4500 @ 5/1000 = 22.8	
- LOWER LEVEL - RETAIL: 2280 @ 5/1000 = 11.4	
2. 9920 YORK ROAD (EXISTING BUILDING)	
- 1ST FLOOR - RETAIL: 3,257 @ 5/1000 = 16.29	
- LOWER LEVEL - RETAIL: 1,300 @ 5/1000 = 6.5	
- LOWER LEVEL - SERVICE GARAGE:	
1,129 @ 3.3/1000 = 3.73	
 21. TOTAL BOTH BUILDINGS: 61 SPACES REQUIRED
 22. PARKING PROVIDED: 48 SPACES (46 + 2 SERVICE BAYS) (VARIANCE REQUIRED, SEE NOTE # 5)
 23. PREVIOUS ZONING HEARINGS:
A. (9920 YORK ROAD)
85-51 XA SECTION 238.1 AND 236.2, VARIANCE FOR VARIOUS SETBACKS OF PROPOSED OFFICE AND STORAGE BUILDINGS; 1) SEC. 238.1 - 19 FEET INSTEAD OF REQUIRED 50 FEET FROM CENTER LINE OF PROPOSED SIDE YARD OF OFFICE BUILDING; 2) SEC. 236.2 - 50 FEET FROM CENTER LINE OF PROPOSED SIDE YARD OF STORAGE BUILDING; 3) SEC. 238.2 - 20 FEET INSTEAD OF REQUIRED 30 FEET FROM SIDE YARD OF OFFICE BUILDING; 4) SEC. 236.2 - 20 FEET INSTEAD OF REQUIRED 30 FEET FROM SIDE YARD OF STORAGE BUILDING. GRANTED AUGUST 19, 1984.
SPECIAL EXCEPTION TO ALLOW CONTRACTORS/EQUIPMENT STORAGE YARD, GRANTED 8/19/84.
 - B. 70-169-R RECLASS FROM R-10 TO BR, GRANTED 3/10/70.

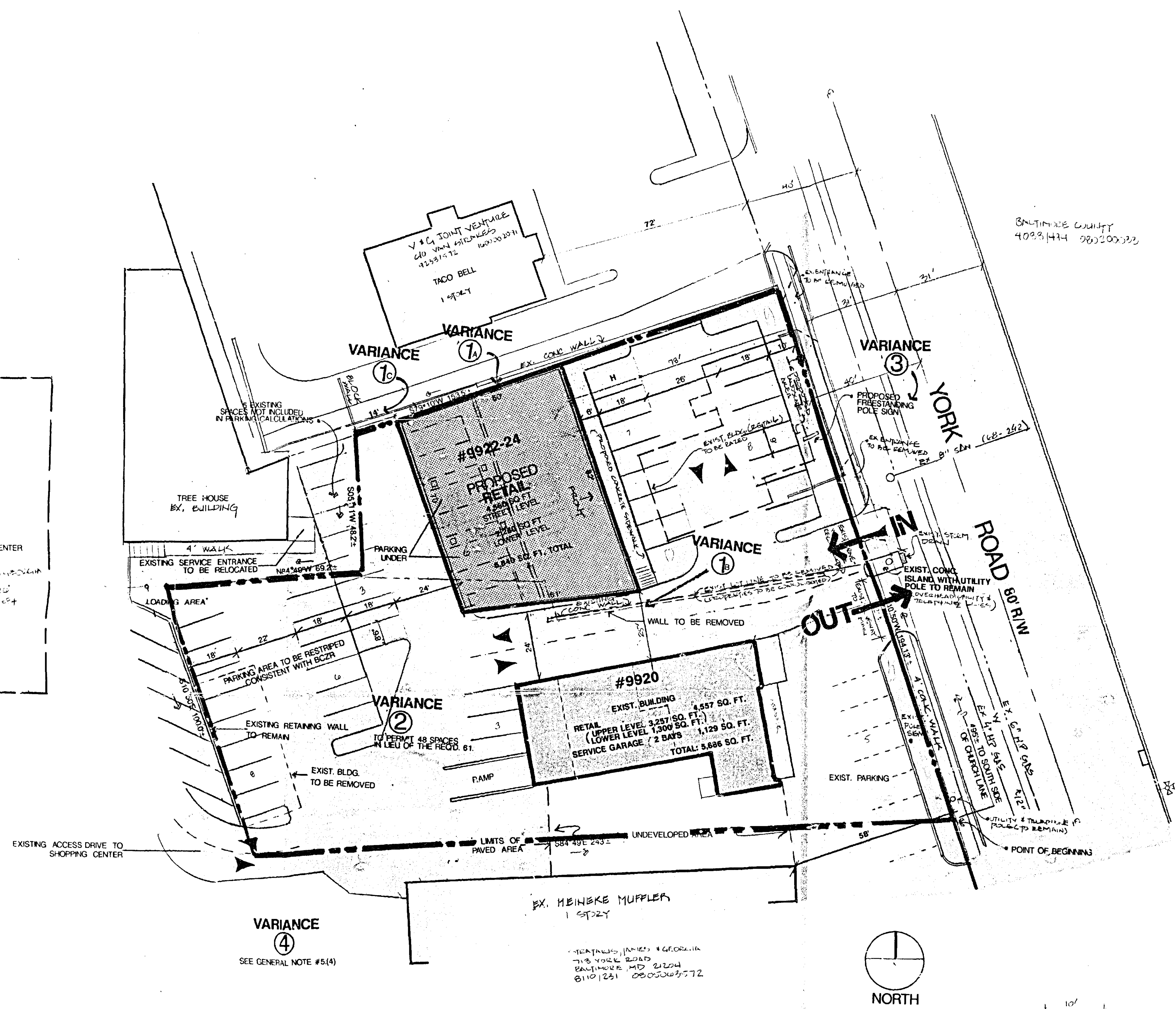
APPLICANT:
JAMES G. STRATAKIS, GEORGIA STRATAKIS
718 YORK ROAD
BALTIMORE, MD 21204

**ACCOMPANY VARIANCE APPLICATION
9920-24 YORK ROAD
BALTIMORE COUNTY, MD.**

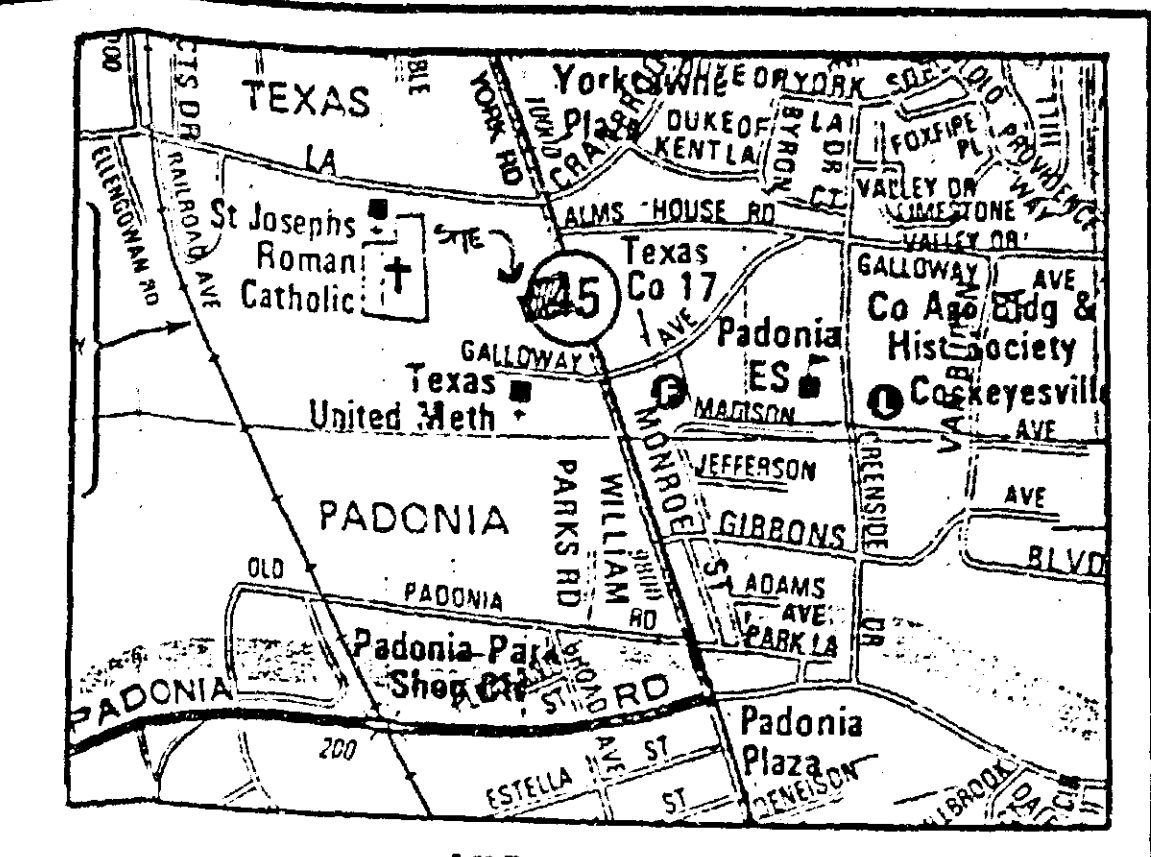
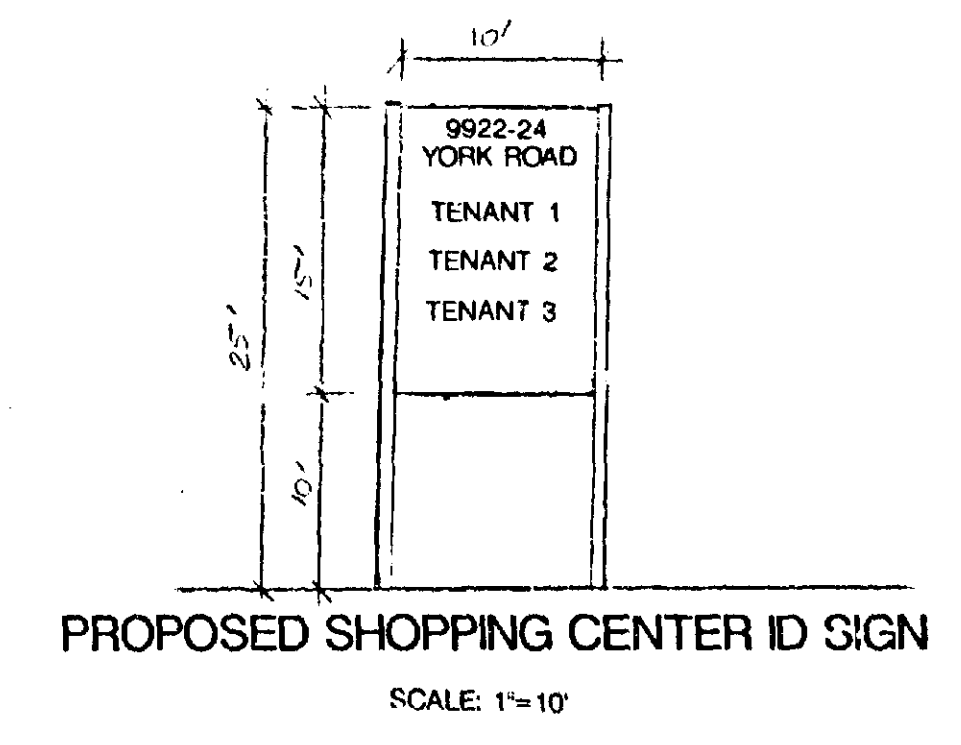
WILLIAM MONK, INC.
PLANNING • LANDSCAPE DESIGN
ENVIRONMENTAL RESOURCE MANAGEMENT
COURTHOUSE COMMONS
2222 BOSLEY AVENUE, SUITE B-7
TOWSON, MARYLAND 21204

DATE: 12/17/93	JOB NO. 93-52	SCALE 1"=20'
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EXISTING SHOPPING CENTER
STATION 1+00 TO 1+200
718 YORK ROAD
BALTIMORE, MD 21204
811/231 0000000000



SITE PLAN



VICINITY MAP
SCALE: 1"=1000'

- GENERAL NOTES**
- EXISTING ZONING: BR-BUSINESS ROADSIDE
 - PROPOSED ZONING: NO CHANGE
 - LOT AREA:
NET - 38,189 SQ. FT. +/- (.88 A)
GROSS - 48,040 SQ. FT. +/- (1.01 A)
 - SPECIAL EXCEPTION: NONE
 - VARIANCES: A) SECTIONS 238.2 & 102.2 TO A) TO PERMIT A SIDE YARD SETBACK OF 0' IN LIEU OF THE REQUIRED 30' AND B) TO PERMIT A SETBACK OF 25' BETWEEN BUILDINGS IN LIEU OF THE REQUIRED 30'; C) TO PERMIT A REAR SETBACK OF 14' IN LIEU OF THE REQUIRED 30'; D) TO PERMIT 40' IN LIEU OF THE REQUIRED 44' PARKING SPACE IN LIEU OF THE REQUIRED 61' PARKING SPACE; E) SECTION 471.2 (14) TO PERMIT A SECOND SHOPPING CENTER ID SIGN (FOR FT. PER SPACE); F) AND TO AMEND THE PREVIOUSLY APPROVED SITE PLAN PER SPECIAL EXCEPTION AND VARIANCE PLAN CASE #5-51 XA.
 - EXISTING USE:
OFFICE/RETAIL - 1 STRUCTURE TO BE REMOVED (9922-24)
1 STRUCTURE TO REMAIN (9920)
 - PROPOSED USE: OFFICE/RETAIL - NEW BUILDING AT 9922-24
 - BUILDING AREA:
EXISTING - 9920 5,686 SQ. FT. +/-
9922-24 2,200 SQ. FT. +/- (BUILDING TO BE RAZED)
PROPOSED - 9922-24 6,840 SQ. FT. +/- (2 FLOORS)
TOTAL 12,526 SQ. FT.
 - PREVIOUS COMMERCIAL PERMITS: D 157647 AND B 148961
 - OWNERSHIP INFORMATION:
JAMES G. STRATKIS, GEORGIA STRATKIS
718 YORK ROAD
BALTIMORE, MD 21204
 - DEED REFERENCE: 8110/731 AND 5012/241
 - TAX MAP: 61, GRID: 17, PARCEL: 2-7, 254, 418
 - CENSUS TRACT: 4048
 - ELECTION DISTRICT NO.: 8
 - COUNTY COUNCIL DISTRICT NO.: 3
 - SETBACK REQUIREMENTS:

	REQUIRED	PROVIDED
FRONT (NEW CONSTR.)	30'	72'
SIDE (NORTH) (NEW CONSTR.)	30'	0'***
SIDE (SOUTH) (EXIST BLDG)	30'	11' APPROVED PER CASE # 65-51 XA 14'*** 25'***
R.R. (NEW CONSTR.)	30'	
BUILDING TO BUILDING (SAME SITE)	60'	
** VARIANCE REQUIRED - SEE NOTE # 5		

 - FRONT YARD SETBACK AVERAGING COMPUTATIONS:
BLDG TO NORTH (W/IN 100') EXISTING SETBACK (TACO BELL) 72'
BLDG TO SOUTH (HEINKE MUFFLER) 58'
AVERAGE SETBACK 65'
 - UTILITIES: PUBLIC SEWER, WATER AND GAS
 - SIGNS: A) EXISTING FREESTANDING SIGN (9920 YORK RD) APPROVED BY PERMIT;
B) PROPOSED SHOPPING CENTER ID SIGN (9922-24 YORK RD) SEE NOTE 5(31).
 - PARKING CALCULATIONS:
A. PARKING REQUIRED:
1. 9922-24 YORK ROAD (NEW CONSTRUCTION)
- 1ST FLOOR - RETAIL: 4500 @ 5/1000 = 22.8
- LOWER LEVEL - RETAIL: 2280 @ 5/1000 = 11.4
2. 9920 YORK ROAD (EXISTING BUILDING)
- 1ST FLOOR - RETAIL: 5,257 @ 5/1000 = 16.29
- LOWER LEVEL - RETAIL: 1,300 @ 5/1000 = 6.5
- LOWER LEVEL - SERVICE GARAGE: 1,129 @ 3.3/1000 = 3.73
TOTAL BOTH BUILDINGS: 61 SPACES REQUIRED
B. PARKING PROVIDED: 48 SPACES (46 + 2 SERVICE BAYS) (VARIANCE REQUIRED, SEE NOTE # 5)
 - PREVIOUS ZONING HEARINGS:
A. (9920 YORK ROAD)
65-51 XA: SECTION 238.1 AND 238.2, VARIANCE FOR VARIOUS SETBACKS OF PROPOSED OFFICE AND STORAGE BUILDING, 1) SEC. 238.1 - 15 FEET INSTEAD OF REQUIRED 50 FEET FROM CENTER LINE OF PROPOSED STREET AND 20 FEET INSTEAD OF REQUIRED 50 FEET FROM CENTER LINE OF PROPOSED STREET FOR SOUTH SIDE OF STORAGE BUILDING, 2) SEC. 238.2 - 20 FEET INSTEAD OF REQUIRED 30 FEET FOR SIDE YARD OF OFFICE BUILDING, 10 FEET INSTEAD OF REQUIRED 30 FEET FOR SIDE YARD OF STORAGE BUILDING, AND 0 FEET REAR YARD SET BACK INSTEAD OF REQUIRED 10 FEET FOR STORAGE BUILDING. GRANTED AUGUST 19, 1964.
SPECIAL EXCEPTION TO ALLOW CONTRACTORS/EQUIPMENT STORAGE YARD. GRANTED 8/17/64.
B. 70-165-R: RECLASS FROM R-10 TO BR, GRANTED 3/10/70.

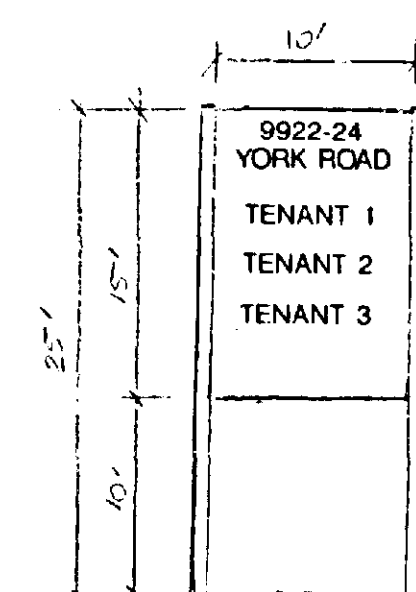
EXHIBIT NO. 3

WILLIAM MONK, INC.
PLANNING • LANDSCAPE DESIGN
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1000 WILSON AVENUE SUITE 807
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(410) 284-9531

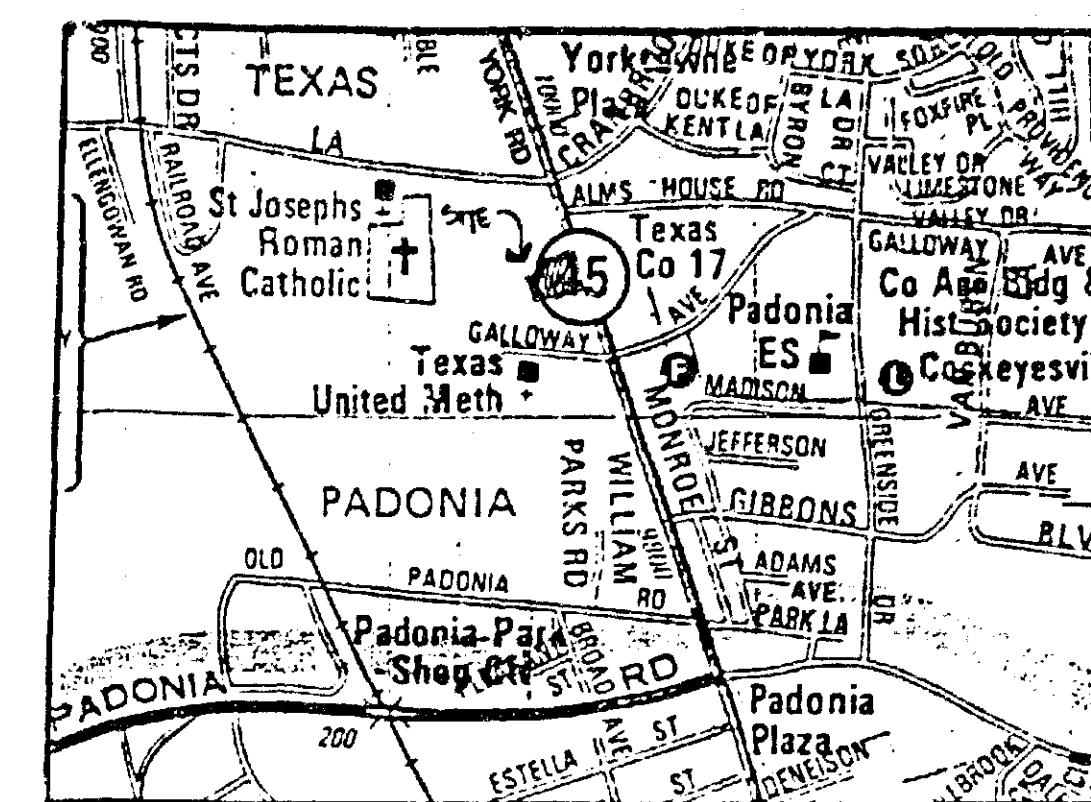
PLAT TO ACCOMPANY VARIANCE APPLICATION
9920-24 YORK ROAD
BALTIMORE COUNTY, MD.

APPLICANT:
JAMES G. STRATKIS, GEORGIA STRATKIS
718 YORK ROAD
BALTIMORE, MD 21204

DATE: 12/17/93
JOB NO: 93-52
SCALE: 1"=20'



PROPOSED SHOPPING CENTER ID SIGN



VICINITY MAP
SCALE: 1"=1000'

GENERAL NOTES

1. EXISTING ZONING: RR-BUSINESS ROADSIDE
2. PROPOSED ZONING: NO CHANGE
3. LOT AREA:
NET = 38,189 SQ. FT. +/- (.88 A)
GROSS = 44,040 SQ. FT. +/- (1.01 A)
4. SPECIAL EXCEPTION: NONE
5. VARIANCES: 1) SECTIONS 236.2 & 102.2 TO A) TO PERMIT A SIDE YARD SETBACK OF "O" IN LIEU OF THE REQUIRED 30' AND B) TO HERETOFORE A SETBACK OF 25' BETWEEN BUILDINGS IN LIEU OF THE REQUIRED 60' C) TO PERMIT A REAR SETBACK OF 14' IN LIEU OF THE REQUIRED 30' D) SECTION 409.1(2) TO PERMIT PARKING SPACES IN LIEU OF THE REQUIRED #1 PARKING SPACES; E) SECTION 413.7(1)(A) TO PERMIT A SECOND SHOPPING CENTER ID SIGN [FOR 413.7(1)(B) TO PERMIT ONE ADDITIONAL SHOPPING CENTER ID SIGN PER STREET]; F) AND TO AMEND THE PREVIOUSLY APPROVED SITE PLAN FOR SPECIAL EXCEPTION AND VARIANCE CASE #65-51 AS:
6. EXISTING USE:
OFFICE/RETAIL - 1 STRUCTURE TO BE REMOVED (9922-24)
= 1 STRUCTURE TO REMAIN (9920)
7. PROPOSED USE: OFFICE/RETAIL - NEW BUILDING AT 9922-24
8. BUILDING APPRA:
EXISTING 9920 5,686 G.S. FT. +/-
 9922-24 2,200 G.S. FT. +/- (BUILDING TO
 BE RAZED)
- PROPOSED 9922-24 6,840 G.S. FT. +/- (2 FLOORS)
- TOTAL 12,526 G.S.
9. PREVIOUS COMMERCIAL PERMITS: R 157647 AND D 128961
10. OWNERSHIP INFORMATION:
JAMES G. STRATAKIS, GEORGIA STRATAKIS
718 YORK ROAD
BALTIMORE, MD 21204
11. DEED REFERENCES: 81110/231 AND 5032/283
12. TAX MAP: S1, GRID# 17, PARCEL# 247, 254, 418
13. CENSUS TRACT: 40010
14. ELECTION DISTRICT NO. 8
15. COUNTY/COUNTY DISTRICT NO. 3
16. TRACK REQUIREMENTS:
- | | REQUIRED | PROVIDED |
|----------------------------------|----------|---------------------------------|
| FRONT MIN. CONSTR.) | 65' | 78' |
| SIDE (NORTH) (MIN CONSTR.) | 50' | 51** |
| SIDE (SOUTH) (EXIST BLDGS) | 30' | ** APPROVED PER CASE # 65-51 XA |
| REAR (MIN CONSTR.) | 30' | 14+* |
| BUILDING TO BUILDING (SAME SITE) | 20' | 25+** |
- * SEE NOTE # 17
** VARIANCE REQUIRED - SEE NOTE # 5
17. FRONT YARD SETBACK AVERAGING COMPUTATIONS:

	EXISTING SETBACK
BLDG TO NORTH (+/- IN 100')	55'
(TRAIL BLDG)	65'
BLDG TO SOUTH (NEIGHBOR'S MUFFLER)	55'
AVERAGE SETBACK	58'
18. UTILITIES: PUBLIC sewer, WATER AND GAS
19. SIGNS: A) EXISTING FREESTANDING SIGN (9920 YORK RD) APPROVED BY PERMITS
B) PROPOSED SHOPPING CENTER ID SIGN (9922-24 YORK RD) SEE NOTE 5(3).
20. PARKING CALCULATIONS:
A. PARKING REQUIRED:
1. 9922-24 YORK ROAD (NEW CONSTRUCTION)
- 1ST FLOOR - RETAIL: 4560 @ 5/1000 = 22.8
- LOWER LEVEL - RETAIL: 2380 @ 5/1000 = 11.4
2. 9920 YORK ROAD (EXISTING BUILDING)
- 1ST FLOOR - RETAIL: 3,257 @ 5/1000 = 16.29
- LOWER LEVEL - RETAIL: 1,300 @ 5/1000 = 6.5
- LOWER LEVEL - SERVICE ORANGE: .5 @ 5/1000 = .1
1.129 + 3.1/1000 = 3.73
TOTAL BOTH BUILDINGS: 61 SPACES REQUIRED
- B. PARKING PROVIDED: 46 SPACES (46 ± SERVICE DAYS) (VARIANCE REQUIRED, SEE NOTE # 5)
21. PREVIOUS ZONING HEARING: (9920 YORK ROAD)
65-51 XA SECTION 236.1 AND 236.2, VARIANCE FOR VARIOUS TYPES OF OFFICE AND STORAGE BUILDING, 4) SEC. 236.1 - 19 FEET INSTEAD AND 20 FEET INSTEAD OF REQUIRED LINE OF PROPOSED STREET AND 20 FEET INSTEAD OF REQUIRED LINE FROM CENTER LINE OF PROPOSED STREET TO SOUTH SIDE OF STORAGE BUILDING; 2) SEC. 236.2 - 20 FEET INSTEAD OF REQUIRED 30 FEET SIDE YARD OF OFFICE BUILDING, 10 FEET INSTEAD OF REQUIRED 20 FEET REAR YARD; KICK BACK ALONG REQUIRED TO 30 FEET FOR STORAGE BUILDING. GRANTED AUGUST 19, 1964.
SPECIAL EXCEPTION TO ALLOW CONTRACTS/EQUIPMENT STORAGE YZ-D, GRANTED 8/19/64.
22. 73-169-R: RECLASS FROM N-L TO BR, GRANTED 3/10/70.

PLAT TO ACCOMPANY VARIANCE APPLICATION
9920-24 YORK ROAD
BALTIMORE COUNTY, MD.

WILLIAM 'MONK, INC.
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(410) 494-8531

APPLICANT:
JAMES G. STRATAKIS, GEORGIA STRATAKIS
716 YORK ROAD
BALTIMORE, MD 21204

DATE: 12/17/93 JOB NO. 93-52 SCALE 1"=20'

Approved for Spiritual
intent. See response
letter dated 10/19/99
CASE # 94-258-SPHA